

PERSONNEL BOARD

March 18, 2004

MEETING

Meeting was held Thursday, March 18, 2004, City Council Chambers, County-City Building, Lincoln, Nebraska.

Members present: Kathy Tabor, Sarah Jones, Maggie Stine, Scott Frogge, Ed Wimes.
Personnel Department resource staff attending: Karen Eurich.

The meeting was opened at 1:30 p.m. by Chair Sarah Jones.

It was moved by Scott Frogge and seconded by Kathy Tabor to approve the minutes of the February 19, 2004 Personnel Board meeting. Voting yes: Kathy Tabor, Sarah Jones, Maggie Stine, Scott Frogge. Abstaining: Ed Wimes.

Agenda Item 1 was the discussion of Board's jurisdiction regarding the request for a grievance hearing of Mary Jo Nelson from the Fire Department. Don Taute of the Personnel Department addressed the Board with his decision to put this item on the agenda. He requested the Board hear arguments by the grievant's attorney and the City Attorney so it could make the decision as to whether the grievance was to be heard by the Board or not. John Corrigan appeared on behalf of the grievant. Connor Reuter represented the Fire Department. The proceedings were recorded by Angela Weller of J.S. Wurm and Associates and are on file in that office. Five exhibits were offered and accepted by the Board. Following presentations by the parties and discussion by the Board, it was moved by Maggie Stine and seconded by Kathy Tabor that the Board does not have the jurisdiction to hear the grievance filed by the employee. Voting yes: Kathy Tabor, Sarah Jones, Maggie Stine, Ed Wimes. Abstaining: Scott Frogge.

Agenda Item 2 was the discussion regarding the scope of the Board's and appealing party's investigation and production of pertinent records and books for the Chuck Heikes appeal from Public Works & Utilities–Water. At this time, Scott Frogge recused himself from hearing this item. Don Taute of the Personnel Department addressed the Board with information he had regarding placing this item on the agenda. He felt it was up to the Board to compel the Personnel Department to produce the information that is asked for by the appellant's attorney as the Board deems appropriate. Gary Young appeared on behalf of Chuck Heikes. Connor Reuter represented Public Works & Utilities. The proceedings were recorded by Angela Weller of J.S. Wurm and Associates and are on file in that office. Following discussion, it was moved by Ed Wimes that the City Attorney's office investigate the Board's authority to compel witnesses to appear for depositions and report back to the Board. Following additional discussion, Ed Wimes withdrew his motion. Following further discussion, the Board requested both Connor Reuter and Gary Young to research the issue of whether the Board can compel witnesses to appear for depositions

PERSONNEL BOARD
March 18, 2004
MEETING
Page 2

in appeals before it and report back in writing to the Board.

Agenda Item 3 was miscellaneous discussion. Karen Eurich of the Personnel Department asked for clarification on the Board's request to Connor Reuter and Gary Young that once this information was gathered and prepared for the Board, if it wanted this put on the next agenda as an item for review. The Board stated that the matter should be presented as an agenda item.

There being no further business, the meeting adjourned at 4:05 p.m.

The next scheduled meeting is tentatively set for Thursday, April 15, 2004.

Karen Eurich
Personnel Operations Specialist

PC:	Mayor Seng	Jeff Stump, NAGE
	Connor Reuter	Les Helms, ATU
	Joan Ross, City Clerk	Ed Sheridan, LPU
	Mark Munger, IAFF	Dalton Tietjen
	Gary Meier, LCEA	Jane Burke
	Gary Young	John Corrigan
	Mike Spadt	Allan Abbott